

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

MARCO TULIO FERNANDEZ-  
RODRIGUEZ,  
a/k/a "Markito,"  
a/k/a "Marco Yai,"

Defendant.

**SUPERSEDING INFORMATION**

S9 24 Cr. 231 (KMK)

**COUNT ONE**  
**(Conspiracy to Commit Hobbs Act Robbery)**

The United States Attorney charges:

1. Between at least on or about March 18, 2024 and March 19, 2024, in the Southern District of New York and elsewhere, MARCO TULIO FERNANDEZ-RODRIGUEZ, a/k/a "Markito," a/k/a "Marco Yai," the defendant, and others known and unknown, knowingly combined, conspired, confederated, and agreed together and with each other to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, FERNANDEZ-RODRIGUEZ conspired with others to rob at gunpoint a warehouse that sold, among other things, unlicensed marijuana products, in the vicinity of South Fifth Avenue in Mount Vernon, New York.

(Title 18, United States Code, Section 1951.)

**FORFEITURE ALLEGATION**

2. As a result of committing the offense alleged in Count One of this Superseding Information, MARCO TULIO FERNANDEZ-RODRIGUEZ, a/k/a "Markito," a/k/a "Marco Yai,"

the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

**Substitute Asset Provision**

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981;  
 Title 21, United States Code, Section 853; and  
 Title 28, United States Code, Section 2461.)

  
 JAY CLAYTON  
 United States Attorney